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Cause of Action against Deceased Estate—Refusal by Persons primarily entitled to take Administration—Special Grant to Nominee of Proposed Plaintiff—Law Reform (Miscellaneous Provisions) Act, 1934 (24 & 25 Geo. 5, c. 41), s. 1 (3) (*b*)—Supreme Court of Judicature (Consolidation) Act, 1925 (15 & 16 Geo. 5, c. 49), s. 162—Administration of Justice Act, 1928 (18 & 19 Geo. 5, c. 26), s. 9. [*Re* J. G. Cumming, deceased], 861.

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ENACTED IN PARLIAMENT, 1935 (JUNE TO DECEMBER).

25 & 26 Geo. 5.

STATUTES

ENACTED IN PARLIAMENT, 1935 (JUNE TO DECEMBER).

25 & 26 Geo. 5.

CHAPTER 23.

SUPERANNUATION ACT, 1935.

An Act to amend the law with respect to the superannuation benefits of persons who have served in the permanent Civil Service of the State; to provide for the amendment of section one of the Superannuation Act, 1887, and for the modification or revocation of the rules made under section six of that Act; and for purposes connected with the matters aforesaid. [27*th June*, 1935.

CHAPTER 24.

FINANCE ACT, 1935.

An Act to grant certain duties of Customs and Inland Revenue (including Excise), to alter other duties, and to amend the law relating to Customs and Inland Revenue (including Excise) and the National Debt, and to make further provision in connection with finance. [10*th July*, 1935.

CHAPTER 25.

COUNTERFEIT CURRENCY (CONVENTION) ACT, 1935.

An Act to enable effect to be given to an International Convention for the Suppression of Counterfeiting Currency, signed on behalf of His Majesty at Geneva on the twentieth day of April, nineteen hundred and twenty-nine, to apply to foreign coin certain enactments relating to British coin, and to assimilate the penalties for importing and exporting counterfeit coin. [10*th July*, 1935.

CHAPTER 26.

DEFENCE (BARRACKS) ACT, 1935.

An Act to repeal the proviso to section nineteen of the Defence Act, 1842. [10*th July*, 1935.

CHAPTER 27.

LONDON PASSENGER TRANSPORT (AGREEMENT) ACT, 1935.

An Act to authorise the Treasury to guarantee securities issued in accordance with a certain agreement made on the twentieth day of June, nineteen hundred and thirty-five, and to exempt the said agreement and certain other agreements from stamp duty. [10*th July*, 1935.

CHAPTER 28.

APPROPRIATION ACT, 1935.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March, one thousand nine hundred and thirty-six, and to appropriate the Supplies granted in this Session of Parliament. [2*nd August*, 1935.

CHAPTER 29.

UNIVERSITY OF DURHAM ACT, 1935.

An Act to make further provision with respect to the University of Durham and its constituent divisions and colleges. [2*nd August*, 1935.

CHAPTER 30.

LAW REFORM (MARRIED WOMEN AND TORTFEASORS) ACT, 1935.

An Act to amend the law relating to the capacity, property, and liabilities of married women, and the liabilities of husbands; and to amend the law relating to proceedings against, and contribution between, tort-feasors. [2*nd August*, 1935.

Be it enacted, etc.:—

PART I.

CAPACITY, PROPERTY, AND LIABILITIES OF MARRIED WOMEN; AND LIABILITIES OF HUSBANDS.

1. *Capacity of married women.*]—Subject to the provisions of this Part of this Act, and subject, as respects actions in tort between husband and wife, to the provisions of section twelve of the Married Women's Property Act, 1882, a married woman shall—

(*a*) be capable of acquiring, holding, and disposing of, any property; and

(*b*) be capable of rendering herself, and being rendered, liable in respect of any tort, contract, debt, or obligation; and

(*c*) be capable of suing and being sued, either in tort or in contract or otherwise; and

(*d*) be subject to the law relating to bankruptcy and to the enforcement of judgments and orders,

in all respects as if she were a feme sole.

2. *Property of married women.*]—(1) Subject to the provisions of this Part of this Act all property which—

(*a*) immediately before the passing of this Act was the separate property of a married woman or held for her separate use in equity; or

(*b*) belongs at the time of her marriage to a woman married after the passing of this Act; or

(*c*) after the passing of this Act is acquired by or devolves upon a married woman,

shall belong to her in all respects as if she were a feme sole and may be disposed of accordingly:

Provided that nothing in this subsection shall interfere with or render inoperative any restriction upon anticipation or alienation attached to the enjoyment of any property by virtue of any provision attaching such a restriction, contained in any Act passed before the passing of this Act, or in any instrument executed before the first day of January nineteen hundred and thirty-six.

(2) Any instrument executed on or after the first day of January, nineteen hundred and thirty-six, shall, in so far as it purports to attach to the enjoyment of any property by a woman any restriction upon anticipation or alienation which could not have been attached to the enjoyment of that property by a man, be void.

(3) For the purposes of the provisions of this section relating to restrictions upon anticipation or alienation—

(*a*) an instrument attaching such a restriction as aforesaid executed on or after the first day of January, nineteen hundred and thirty-six, in pursuance of an obligation imposed before that date to attach such a restriction shall be deemed to have been executed before the said first day of January;

(*b*) a provision contained in an instrument made in exercise of a special power of appointment shall be deemed to be contained in that instrument only and not in the instrument by which the power was created; and

(*c*) the will of any testator who dies after the thirty-first day of December, nineteen hundred and forty-five, shall (notwithstanding the actual date of the execution thereof) be deemed to have been executed after the first day of January, nineteen hundred and thirty-six.

3. *Abolition of husband's liability for wife's torts and ante-nuptial contracts, debts and obligations.*]—Subject to the provisions of this Part of this Act, the husband of a married woman shall not, by reason only of his being her husband, be liable—

(*a*) in respect of any tort committed by her whether before or after the marriage, or in respect of any contract entered into, or debt or obligation incurred, by her before the marriage; or

(*b*) to be sued, or made a party to any legal proceeding brought, in respect of any such tort, contract, debt, or obligation.

4. *Savings.*]—(1) Nothing in this Part of this Act shall—

(*a*) during coverture which began before the first day of January eighteen hundred and eighty-three, affect any property to which the title (whether vested or contingent, and whether in possession, reversion, or remainder) of a married woman accrued before that date, except property held for her separate use in equity;

(*b*) affect any legal proceeding in respect of any tort if proceedings had been instituted in respect thereof before the passing of this Act;

(*c*) enable any judgment or order against a married woman in respect of a contract entered into, or debt or obligation incurred,

before the passing of this Act, to be enforced in bankruptcy or to be enforced otherwise than against her property.

(2) For the avoidance of doubt it is hereby declared that nothing in this Part of this Act—

(*a*) renders the husband of a married woman liable in respect of any contract entered into, or debt or obligation incurred, by her after the marriage in respect of which he would not have been liable if this Act had not been passed;

(*b*) exempts the husband of a married woman from liability in respect of any contract entered into, or debt or obligation (not being a debt or obligation arising out of the commission of a tort) incurred, by her after the marriage in respect of which he would have been liable if this Act had not been passed;

(*c*) prevents a husband and wife from acquiring, holding, and disposing of, any property jointly or as tenants in common, or from rendering themselves, or being rendered, jointly liable in respect of any tort, contract, debt or obligation, and of suing and being sued either in tort or in contract or otherwise, in like manner as if they were not married;

(*d*) prevents the exercise of any joint power given to a husband and wife.

5. *Consequential amendments and repeals.*]—(1) The enactments mentioned in the first column of the First Schedule to this Act shall have effect subject to the amendments specified in the second column of that Schedule.

(2) The enactments mentioned in the Second Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

Part II.

Proceedings against, and Contribution between, Tort-feasors.

6. *Proceedings against, and contribution between, joint and several tort-feasors.*]—(1) Where damage is suffered by any person as a result of a tort (whether a crime or not)—

(*a*) judgment recovered against any tort-feasor liable in respect of that damage shall not be a bar to an action against any other person who would, if sued, have been liable as a joint tort-feasor in respect of the same damage;

(*b*) if more than one action is brought in respect of that damage by or on behalf of the person by whom it was suffered, or for the benefit of the estate, or of the wife, husband, parent or child, of that person, against tort-feasors liable in respect of the damage (whether as joint tort-feasors or otherwise) the sums recoverable under the judgments given in those actions by way of damages shall not in the aggregate exceed the amount of the damages awarded by the judgment first given; and in any of those actions, other than that in which judgment is first given, the plaintiff shall not be entitled to costs unless the court is of opinion that there was reasonable ground for bringing the action;

(*c*) any tort-feasor liable in respect of that damage may recover contribution from any other tort-feasor who is, or would if sued have been, liable in respect of the same damage, whether as a joint tort-feasor or otherwise, so, however, that no person shall be entitled to recover contribution under this section from any person entitled to be indemnified by him in respect of the liability in respect of which the contribution is sought.

(2) In any proceedings for contribution under this section the amount of the contribution recoverable from any person shall be such as may be found by the court to be just and equitable having regard to the extent of that person's responsibility for the damage; and the court shall have power to exempt any person from liability to make contribution, or to direct that the contribution to be recovered from any person shall amount to a complete indemnity.

(3) For the purposes of this section—

(*a*) the expressions "parent" and "child" have the same meanings as they have for the purposes of the Fatal Accidents Act, 1846 to 1908; and

(*b*) the reference in this section to "the judgment first given" shall, in a case where that judgment is reversed on appeal, be construed as a reference to the judgment first given which is not so reversed and, in a case where a judgment is varied on appeal, be construed as a reference to that judgment as so varied.

(4) Nothing in this section shall—

(*a*) apply with respect to any tort committed before the commencement of this Part of this Act; or

(*b*) affect any criminal proceedings against any person in respect of any wrongful act; or

(*c*) render enforceable any agreement for indemnity which would not have been enforceable if this section had not been passed.

7. *Commencement of Part II.*]—This Part of this Act shall come into operation on such date as the Lord Chancellor may by order appoint.

Part III.

Supplementary.

8. *Short title, extent and construction of references.*]—(1) This Act may be cited as the Law Reform (Married Women and Tortfeasors) Act, 1935.

(2) This Act shall not extend to Scotland or to Northern Ireland.

(3) Any reference in this Act to any other enactment or to any provision of any other enactment shall, unless the context otherwise requires, be construed as a reference to that enactment, or that provision, as the case may be, as amended by any subsequent enactment including this Act.

SCHEDULES.

FIRST SCHEDULE.

Consequential Amendments effected by Part I of Act.

Enactments to be Amended.	Amendment.
The Married Women's Property Act, 1882.	In section seven for the words "her "separate estate" there shall be substituted the word "she." In section eleven, for the words "separate "use" there shall be substituted the words "own benefit." In section twelve for the words "such "property belonged to her as" there shall be substituted the words "she "were."
The Larceny Act, 1916 -	In subsection (1) of section thirty-six, for the words "such property belonged "to her as" there shall be substituted the words "she were."
The Supreme Court of Judicature (Consolidation) Act, 1925.	For subsection (1) of section one hundred and ninety-four there shall be substituted the following subsection:— "(1) In every case of judicial separation— (*a*) as from the date of the decree and so long as the separation continues any property which is acquired by or devolves upon the wife shall not be affected by any restraint upon anticipation attached to the enjoyment by the wife of any property under any settlement, agreement for a settlement, will, or other instrument; and if she dies intestate shall devolve as if her husband had been then dead; (*b*) if alimony has been ordered to be paid and has not been duly paid by the husband he shall be liable for necessaries supplied for the use of the wife."

SECOND SCHEDULE.

Enactments Repealed by Part I of Act.

Session and Chapter.	Short Title.	Extent of Repeal.
2 & 3 Anne, c. 20.	An Act the title of which begins with the words "An Act for the mak-"ing more effectuall" and ends with the words "for the same "purpose."	In section six the words "or women covert with-"out their husbands."
43 Geo. 3, c. 108.	The Gifts for Churches Act, 1803.	In section one the words "nor women covert "without their hus-"bands."
55 Geo. 3, c. 147.	The Glebe Exchange Act, 1815.	In section five the words "or femes covert with-"out their husbands"; in section twelve the words "husbands," "feme coverts," and "feme covert"; in section thirteen the word "husbands," and the words "femes covert"; and in section seventeen the words "or feme couvert," "or "husband," "or she," and "or feme sole."
3 & 4 Will. 4. c. 74.	The Fines and Recoveries Act, 1833.	Section twenty-four.

Session and Chapter.	Short Title.	Extent of Repeal.
4 & 5 Vict. c. 20.	The Excise Management Act, 1841.	In section seven the words "whose husband shall "become insane or "idiot or be otherwise "rendered incapable of "transacting his affairs "or whose husband "shall be separated "from her and be out "of the limits of the "United Kingdom" and the proviso.
4 & 5 Vict. c. 38.	The School Sites Act, 1841.	In section five the words "and her husband."
36 & 37 Vict. c. 50.	The Places of Worship Sites Act, 1873.	In section one the words "or a married woman" and the word "husband"; and in section three the words "and her husband."
45 & 46 Vict. c. 75.	The Married Women's Property Act, 1882.	Sections one to five; in section six the word "separate" where that word first occurs; and the words "for her "separate use"; in section seven the word "separate" where that word first occurs, and the words from "whether the same" to "recorded, or not"; in section eleven the words "by virtue of the "power of making con- "tracts hereinbefore "contained"; in section twelve the word "separate"; in section thirteen the words "in "respect and to the "extent of her separate "property" and the words from "and all "sums recovered" to "recovered in respect "thereof"; sections fourteen and fifteen; in section twenty-three the word "separate."
56 & 57 Vict. c. 63.	The Married Women's Property Act, 1893.	Section one.
7 Edw. 7. c. 18.	The Married Women's Property Act, 1907.	In section three the words "which is by virtue of "the Married Women's "Property Act, 1882, "made her separate "property."
1 & 2 Geo. 5. c. 46.	The Copyright Act, 1911.	In section sixteen, in sub-section (4) thereof, the word "separate."
4 & 5 Geo. 5. c. 59.	The Banrkuptcy Act, 1914.	In section fifty-two, the word "separate"; and section one hundred and twenty-five.
6 & 7 Geo. 5. c. 50.	The Larceny Act, 1916.	In section thirty–six, in subsection (1) thereof the word "separate."
20 & 21 Geo. 5. c. 17.	The Poor Law Act, 1930.	In section fourteen, in subsection (4) thereof, the word "separate."

CHAPTER 31.

DISEASES OF ANIMALS ACT, 1935.

An Act to make provision for the application of the enactments relating to diseases of animals as respects poultry, to amend those enactments, to provide for the regulation of the manufacture, sale and importation of certain therapeutic substances capable of being used for veterinary purposes, to extend Part I of the Ministry of Agriculture and Fisheries Act, 1919, to Scotland; and for purposes connected with the matters aforesaid. [*2nd August*, 1935.

CHAPTER 32.

CRIMINAL LUNATICS (SCOTLAND) ACT, 1935.

An Act to make provision for the establishment of a criminal lunatic asylum in Scotland, and for purposes connected therewith. [*2nd August*, 1935.

CHAPTER 33.

UNEMPLOYMENT INSURANCE (CREDITING OF CONTRIBUTIONS) ACT, 1935.

An Act to provide that regulations made under section seventy-five of the Unemployment Insurance Act, 1935, shall apply to persons otherwise qualified under that section who, at any time during the period of four months ending with the third day of September nineteen hundred and thirty-five, were continuing to receive whole-time education. [*2nd August*, 1935.

CHAPTER 34.

ISLE OF MAN (CUSTOMS) ACT, 1935.

An Act to amend the law with respect to customs in the Isle of Man. [*2nd August*, 1935.

CHAPTER 35.

TEACHERS (SUPERANNUATION) ACT, 1935.

An Act to provide that the annual allowances which, under the enactments relating to the superannuation of teachers, accrue, after the thirtieth day of June nineteen hundred and thirty-five, to persons whose service included service during the period beginning on the first day of October nineteen hundred and thirty-one and ending with the said thirtieth day of June, shall not be less than ninety-eight per cent. of the annual allowances which would have so accrued if, during that period, no reduction had been made in their salaries on account of national economic conditions. [*2nd August*, 1935.

CHAPTER 36.

PUBLIC HEALTH (WATER AND SEWERAGE) (SCOTLAND) ACT, 1935.

An Act to make provision for the extension of the period within which money borrowed by a local authority under the Public Health (Scotland) Act, 1897, for the purpose of sewers or water supply requires to be repaid, and of the period for which the Public Works Loan Commissioners may lend money to local authorities for the said purposes. [*2nd August*, 1935.

CHAPTER 37.

BRITISH SUGAR (SUBSIDY) ACT, 1935.

An Act to extend by twelve months the period in respect of which subsidy in respect of sugar is payable under the British Sugar (Subsidy) Act, 1925, and to make further provision as to the rate of such subsidy payable under the said Act as so amended. [*2nd August*, 1935.

CHAPTER 38.

HOUSE OF COMMONS DISQUALIFICATION (DECLARATION OF LAW) ACT, 1935.

An Act to declare that there may be two Parliamentary Under Secretaries to the Secretary of State for Foreign Affairs and that in that case neither Under Secretary is disqualified for membership of the House of Commons; and to declare the effect of section two of the Re-election of Ministers Act, 1919, in relation to certain Ministers who have not the charge of any public department. [*2nd August*, 1935.

CHAPTER 39.

CATTLE INDUSTRY (EMERGENCY PROVISIONS) (No. 2) ACT, 1935.

An Act to provide for the further extension, by not more than thirteen months, of the period during which cattle or carcases of cattle must have been sold in order that payments in respect thereof may be made out of the Cattle Fund; and for purposes connected with the matter aforesaid. [*2nd August*, 1935.

CHAPTER 40.

HOUSING ACT, 1935.

An Act to make further and better provision for the abatement and prevention of overcrowding, the re-development of urban areas in connection with the provision of housing accommodation therein, and the reconditioning of buildings, to make provision for the establishment of a housing advisory committee and of commissions for the management of local authorities' houses, to amend the enactments relating to the housing operations of public utility societies and other bodies, to provide for the consolidation of housing accounts, to amend the enactments relating to housing; and for purposes connected with the matters aforesaid. [*2nd August*, 1935.

CHAPTER 41.

HOUSING (SCOTLAND) ACT, 1935.

An Act to make further and better provision for the prevention of overcrowding in Scotland, the re-development of areas in connection with the provision of housing accommodation, and the re-conditioning of buildings, to make provision for the establishment in Scotland of a housing advisory committee and of commissions for the management of local authorities' houses, to amend the enactments relating to the housing operations of public utility societies and other bodies, to provide for the consolidation of housing accounts and subsidies, and to amend the enactments relating to housing in Scotland; and for purposes connected with the matters aforesaid. [*2nd August*, 1935.

CHAPTER 42.

GOVERNMENT OF INDIA ACT, 1935.

An Act to make further provision for the government of India. [*2nd August*, 1935.

CHAPTER 43.

SALMON AND FRESHWATER FISHERIES ACT, 1935.

An Act to amend sections thirty-seven and thirty-eight of the Salmon and Freshwater Fisheries Act, 1923, and for purposes incidental thereto. [*2nd August*, 1935.

CHAPTER 44.

NATIONAL HEALTH INSURANCE AND CONTRIBUTORY PENSIONS ACT, 1935.

An Act to amend the enactments relating to National Health Insurance; to amend the enactments relating to Widows', Orphans' and Old Age Contributory Pensions, with respect to the allowances or pensions payable in respect of children under full-time instruction, to the date on which pensions cease to be payable, to reciprocal arrangements with other parts of His Majesty's dominions, to the incidence of the increase of contributions during the decennial period commencing the first day of January, nineteen hundred and thirty-six, and subsequent decennial periods, and to the payment of pensions in respect of the insurance of persons ceasing to be insured within twelve months before death or before attaining the age of sixty-five; and for purposes connected therewith. [*2nd August*, 1935.

CHAPTER 45.

ASSURANCE COMPANIES (WINDING UP) ACT, 1935.

An Act to amend the Assurance Companies (Winding up) Act, 1933. [*2nd August*, 1935.

CHAPTER 46.

MONEY PAYMENTS (JUSTICES PROCEDURE) ACT, 1935.

An Act to amend the law with respect to the enforcement by justices of the peace of the payment of money due by virtue of convictions of courts of summary jurisdiction or of orders in matters of bastardy or enforceable as affiliation orders, or due in respect of rates; and to make provision with respect to the mode of proof in certain proceedings before justices of the payment of wages. [*2nd August*, 1935.

Be it enacted, etc.:—

Fines.

1. *Fines, inquiry as to means of defaulter.*]—(1) Where a court of summary jurisdiction adjudges a person to pay a sum by a conviction and allows time for payment, the court shall not on that occasion impose on the defendant a period of imprisonment in default of payment of that sum:

Provided that this subsection shall not have effect where the court on that occasion and in the presence of the defendant determines that for special reason, whether having regard to the gravity of the offence, to the character of the defendant or to other special circumstances, it is expedient that he should be imprisoned without further inquiry in default of payment.

(2) Where a period of imprisonment is imposed under the power reserved by the proviso to the foregoing subsection, the court shall state the reason for its determination and the reason stated shall be entered in the register kept under section twenty-two of the Summary Jurisdiction Act, 1879.

(3) A warrant of commitment to prison in respect of the non-payment of a sum adjudged to be paid by a conviction of a court of summary jurisdiction shall not be issued in the case of a defendant who has been allowed time for payment, unless on an occasion subsequent to his conviction the competent court has made inquiry as to his means in his presence:

Provided that this subsection shall not have effect—

(*a*) where a period of imprisonment in default of payment was imposed on the defendant on the occasion of his conviction under the power reserved by the proviso to subsection (1) of this section; or

(*b*) in the case of a defendant who is in prison.

2. *Transfer of jurisdiction as to fines.*]—(1) Where a court of summary jurisdiction for any petty sessional division or place has adjudged a person to pay a sum by a conviction and it appears to a justice of the peace having jurisdiction in that division or place that the defendant is residing in any other division or place, and that it is in the circumstances expedient so to do, he may make with respect to that sum an order for the purposes of this section.

An order made for the purposes of this section shall be termed a "transfer of fine order" and shall specify that other division or place.

(2) As from the date on which a transfer of fine order is made with respect to any sum, all functions in relation to that sum which, if such an order had not been made, would have been exercisable under any enactment (including this Act) by a court of summary jurisdiction for the division or place for which the convicting court acted, or by the clerk thereof, or by a justice of the peace having jurisdiction therein, shall be exercisable by a court of summary jurisdiction for the division or place specified in the order, or by the clerk thereof, or by a justice of the peace having jurisdiction therein, as the case may be, and not otherwise:

Provided that any payment received by virtue of a transfer of fine order by the clerk of a court other than the convicting court shall be forthwith transmitted by him to, and shall be accounted for by, the clerk of the convicting court.

(3) Where it appears to a justice of the peace having jurisdiction in the division or place in which functions in relation to any sum are for the time being exercisable by virtue of a transfer of fine order that the defendant is residing in another division or place, he may make a further transfer of fine order with respect to that sum, and shall cause a copy thereof to be sent to the clerk of the convicting court.

3. *Notice of fines to persons liable.*]—Where a court of summary jurisdiction adjudges a person to pay a sum by a conviction and either—

(*a*) the court allows time for payment; or

(*b*) the defendant is not present on the occasion of the conviction;

the clerk of the court shall as soon as may be thereafter deliver to that person, or send by post addressed to him at his last or usual place of abode, a notice in writing stating the amount of that sum, the date on or before which payment thereof is required, and the place or places and times at which payment may be made, and, if payment by instalments is directed, particulars of the instalments.

4. *Fines, detention in police station in lieu of imprisonment.*]—A court of summary jurisdiction or a justice of the peace may, in any circumstances in which the court or justice has, or if this Act had not passed would have had, power to issue a warrant of commitment to prison in respect of the non-payment of a sum adjudged to be paid by a conviction of such a court, in lieu of issuing such a warrant, issue a warrant of detention in a police station, and, unless that sum is sooner paid to the police officer holding the warrant, the warrant shall authorise any police constable to convey the person named therein to any convenient police station and for that purpose to arrest him, and shall authorise the officer in charge of any police station to detain him there till the hour of eight in the morning on the day following that on which he is arrested under the warrant or, if he is so arrested between midnight and eight in the morning on any day, on that day:

Provided that the officer in charge of the police station in which a person is detained under this section may discharge him at any time within two hours before the hour of eight in the morning if the officer thinks it expedient so to do in order to enable him to go to his employment or for any other reason appearing to the officer to be sufficient.

5. *Fines, supervision.*]—(1) Where a person has been adjudged to pay a sum by a conviction of a court of summary jurisdiction and has been allowed time for payment, the competent court may, either on the occasion of his conviction or on a subsequent occasion, order him to be placed under the supervision of such person as the court making the order may from time to time appoint.

(2) An order placing a person under supervision in respect of any sum may be discharged by the competent court and shall cease to have

effect on the making of a transfer of fine order with respect to that sum (without prejudice however, in either case, to the power of the competent court to make a further order), but subject as aforesaid a person placed under supervision in respect of any sum shall so remain so long as he is under any liability in respect of that sum.

(3) A warrant of commitment to prison in respect of the non-payment of a sum adjudged to be paid by a conviction of a court of summary jurisdiction shall not be issued in the case of a defendant who is under supervision unless before issuing the warrant the court or justice, as the case may be, has taken such steps as may be reasonably practicable to obtain from the person appointed for the supervision of the defendant an oral or written report as to his conduct and means and has considered any report so obtained, in addition, in a case where inquiry is required by subsection (3) of section one of this Act to be made, to that inquiry.

(4) Subsection (3) of section one of the Criminal Justice Administration Act, 1914, shall cease to have effect.

6. *Fines, supervision of defaulters under twenty-one obligatory.*]—(1) A person who has not attained the age of twenty-one years shall not be committed to prison in respect of the non-payment of a sum which he has been adjudged to pay by a conviction of a court of summary jurisdiction and for the payment of which he has been allowed time unless he has been placed under supervision in respect of that sum :

Provided that this subsection shall not have effect where the court or justice having power to issue a warrant of commitment is satisfied that it is undesirable or impracticable to place him under supervision.

(2) Where a warrant is issued under the power reserved by the proviso to the foregoing subsection, the grounds on which the court or justice is so satisfied as aforesaid shall be stated therein.

(3) For the purposes of this section a person shall be deemed not to have attained the age of twenty-one years if he appears to the court of justice not to have attained that age.

7. *Fines, allowance of time to persons out of jurisdiction of court.*]—In subsection (1) of section one of the Criminal Justice Administration Act, 1914 (which relates to the obligation to allow time for payment of fines except in certain cases, including the case of a defendant who fails to satisfy the court that he has a fixed abode within its jurisdiction), the words "within its jurisdiction" shall cease to have effect.

Orders enforceable as affiliation orders.

8. *Orders enforceable as affiliation orders, inquiry as to conduct and remission.*]—(1) Section four of the Bastardy Laws Amendment Act, 1872 (which confers on justices of the peace discretionary powers for the enforcement of the payment of a sum due under an order in any matter of bastardy or under an order enforceable as an affiliation order, including a power to issue a warrant of commitment to prison), shall have effect subject to and in accordance with the following provisions, that is to say :—

(*a*) on an application for the enforcement thereunder of the payment of any such sum as aforesaid, the justices shall make inquiry in the defendant's presence as to whether his failure to pay that sum was due either to his wilful refusal or to his culpable neglect ;

(*b*) if the justices are of opinion that the failure of the defendant to pay that sum was not due either to his wilful refusal or to his culpable neglect, a warrant of commitment to prison shall not be issued ;

(*c*) subject as aforesaid the said powers shall be exercisable as if this subsection had not passed.

(2) On an application for the enforcement, variation, revocation, discharge or revival of such an order as aforesaid, the justices may remit the payment of any sum due thereunder or of any part of any such sum.

(3) Where on an application for the enforcement of the payment of a sum due under such an order as aforesaid no warrant of commitment to prison is issued, the application may be renewed, except so far as regards any part of that sum remitted under the last foregoing subsection, on the ground that the circumstances of the person to whom the application relates have changed.

9. *Amendment as to variation of orders for periodical payments.*]—In subsection (3) of section thirty of the Criminal Justice Administration Act, 1914 (which relates to the revocation, revival or variation by a court of summary jurisdiction of an order for the periodical payment of money), the words "upon fresh evidence" shall cease to have effect, and fresh evidence shall not be required as a condition of the exercise of the power conferred on a court of summary jurisdiction by section seven of the Summary Jurisdiction (Married Women) Act, 1895, to increase or diminish the amount of a weekly payment.

Rates.

10. *Rates, inquiry as to conduct, and remission.*]—(1) Section two of the Distress for Rates Act, 1849 (which confers on justices of the peace discretionary power to issue a warrant of commitment to prison of a person in relation to whom such return of insufficiency of distress as is therein mentioned has been made), shall have effect subject to and in accordance with the following provisions, that is to say,—

(*a*) on an application for the issue of such a warrant, the justices shall make inquiry in that person's presence as to whether his failure to pay the sum or sums to which he was rated or assessed and in respect of which the warrant of distress was issued was due either to his wilful refusal or to his culpable neglect ;

(*b*) if the justices are of opinion that the failure of the defendant to pay the said sum or sums was not due either to his wilful refusal or to his culpable neglect, they shall not issue the warrant ;

(*c*) subject as aforesaid the said power shall be exercisable as if this subsection had not passed.

(2) Where on such an application as aforesaid no warrant is issued, the justices may remit the payment of any sum or sums to which the application relates, or of any part of that sum or of any of those sums.

(3) Where on such an application as aforesaid no warrant is issued, the application may be renewed, except so far as regards any sum or sums remitted under the last foregoing subsection, on the ground that the circumstances of the person to whom the application relates have changed.

(4) Section eleven of the Poor Relief Act, 1814 (so far as not already repealed), and proviso (*b*) to subsection (3) of section two of the Rating and Valuation Act, 1925, shall cease to have effect.

Miscellaneous and General.

11. *Attendance of defaulters for purposes of inquiry.*]—(1) For the purpose of enabling inquiry to be made in his presence—

(*a*) as to the means of a person to whom time has been allowed for payment of a sum adjudged to be paid by a conviction of a court of summary jurisdiction and who has made default in the payment of that sum ; or

(*b*) as to the conduct and means of a person in relation to whom a return of insufficiency of distress has been made as mentioned in section two of the Distress for Rates Act, 1849, in respect of a sum or sums rated or assessed upon him ;

a justice of the peace having jurisdiction in the petty sessional division or place for which the competent court acts, or in which the return is made, as the case may be, may at any time issue a summons to that person to appear before that court, or before the justices of the peace having jurisdiction under that Act, as the case may be, and, if he does not appear in obedience to the summons, may issue a warrant for his arrest or, without issuing a summons issue in the first instance a warrant for his arrest.

(2) Where a warrant is issued under this section, then, unless the sum or sums in respect of which the warrant is issued is or are sooner paid to the police officer holding the warrant, the warrant may be executed in the like manner, and the like proceedings may be taken with a view to the execution thereof, in any part of the United Kingdom, as if it had been a warrant of arrest issued under section two of the Summary Jurisdiction Act, 1848.

12. *Statements as to wages to be evidence.*]—A statement in writing to the effect that wages of any amount have been paid to a person during any period, purporting to be signed by or on behalf of his employer, shall be prima facie evidence of the facts therein stated in any proceedings taken before justices of the peace—

(*a*) for the enforcement of the payment by the person to whom the wages are stated to have been paid of a sum adjudged to be paid by a conviction or order of a court of summary jurisdiction ;

(*b*) on any application made by or against that person for the making of an order in any matter of bastardy or an order enforceable as an affiliation order, or for the enforcement, variation, revocation, discharge or revival of any such order ; or

(*c*) for the enforcement of the payment by that person of any sum or sums to which he has been rated or assessed.

13. *Prohibition of charge of fees.*]—No fee shall be chargeable by a clerk to justices in respect of any summons, warrant, notice or order authorised or required to be issued, given or made under this Act or under the rules made under this Act.

14. *Rules and forms.*]—(1) The Minister of Health may issue such new or altered forms of proceedings in matters of bastardy as he may deem necessary or expedient for giving effect to the enactments relating to such proceedings as amended by this Act.

(2) The Lord Chancellor may make rules for carrying this Act into effect with respect to any matter other than a matter which the Minister of Health has power to regulate by virtue of the foregoing subsection, and for prescribing forms to be used in connection with proceedings under this Act, the persons to whom payments of such sums as are mentioned in this Act may be made, the manner of accounting for such payments, and the records to be kept in relation thereto.

15. *Interpretation.*]—In this Act—

(*a*) references to allowance of time for payment include a reference to a direction for payment by instalments ;

(*b*) references to commitment to prison or to imprisonment or to prison shall not be deemed to include any reference to detention within the precincts of a court or at a police station under section twelve of the Criminal Justice Administration Act, 1914, or to detention in a certified place under section thirteen of that Act, or to detention at a police station under section four of this Act ;

(*c*) references to imprisonment in respect of non-payment of a sum adjudged to be paid by a conviction include references to imprisonment in respect of default of a sufficient distress to satisfy that sum ;

(*d*) the expression "the competent court" means in relation to any sum, the court by which payment of that sum was adjudged,

or any other court of summary jurisdiction for the same petty sessional division or place, or, where by virtue of a transfer of fine order functions in relation to that sum are exercisable by another court, that other court;

(*e*) the expressions "sum adjudged to be paid by a conviction" and "sum adjudged to be paid by an order" have the same meanings respectively as in the Summary Jurisdiction Act, 1879.

16. *Short title, repeal, commencement and extent.*]—(1) This Act may be cited as the Money Payments (Justices Procedure) Act, 1935.

(2) The enactments specified in the Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

(3) This Act shall come into operation on the first day of January nineteen hundred and thirty-six.

(4) This Act (except subsection (2) of section eleven thereof) shall not extend to Scotland or Northern Ireland.

SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
54 Geo. 3. c. 170.	The Poor Relief Act, 1814.	Section eleven, so far as not already repealed.
4 & 5 Geo. 5. c. 58.	The Criminal Justice Administration Act, 1914.	In section one, in subsection (1), the words "within "its jurisdiction"; and subsection (3). In section thirty, in subsection (3), the words "upon fresh evidence."
15 & 16 Geo. 5. c. 90.	The Rating and Valuation Act, 1925.	In section two, in subsection (3), proviso (*b*).

CHAPTER 47.

RESTRICTION OF RIBBON DEVELOPMENT ACT, 1935.

An Act to provide for the imposition of restrictions upon development along the frontages of roads; to enable highway authorities to acquire land for the construction or improvement of roads or for preserving amenities or controlling development in the neighbourhood of roads; to extend the powers of local authorities as to the provision of accommodation for the parking of vehicles and as to the prevention of interference with traffic; and for purposes connected with the matters aforesaid. [*2nd August*, 1935.

CHAPTER 1.

GOVERNMENT OF INDIA (REPRINTING) ACT, 1935.

An Act to divide the Government of India Act, 1935, into two portions and to make in the wording thereof certain changes which either are consequential on the division or remove minor errors; to provide for the certification, the deposit with the Rolls of Parliament, and the printing, of the said portions as if they were separate Acts of Parliament; to secure that the said portions have effect in lieu of the said Government of India Act, 1935, as from the date of the passing of that Act; and for purposes connected with the matters aforesaid. [*20th December*, 1935.

CHAPTER 2.

GOVERNMENT OF INDIA ACT, 1935.

CHAPTER 3.

GOVERNMENT OF BURMA ACT, 1935.

An Act to make further provision for the Government of Burma. [*2nd August*, 1935.

CHAPTER 4.

EXPIRING LAWS CONTINUANCE ACT, 1935.

An Act to continue certain expiring laws. [*20th December*, 1935.

Whereas the Acts mentioned in the Schedule to this Act are, in so far as they are in force and are temporary in their duration, limited to expire—

(*a*) as respects those mentioned in Part I of the said Schedule, on the thirty-first day of December, nineteen hundred and thirty-five, and

(*b*) as respects that mentioned in Part II of the said Schedule, on the thirtieth day of June, nineteen hundred and thirty-six:

And whereas it is expedient to provide for the continuance, as in this Act mentioned, of those Acts and of the enactments amending or affecting the same:

Be it therefore enacted, etc.:—

1. *Continuance of Acts in Schedule.*]—(1) The Acts mentioned in Part I of the Schedule to this Act shall, to the extent specified in column three of that Schedule, be continued until the thirty-first day of December, nineteen hundred and thirty-six.

(2) The Act mentioned in Part II of the Schedule to this Act shall, to the extent specified in column three of that Schedule, be continued until the thirty-first day of December, nineteen hundred and thirty-seven.

(3) Any unrepealed enactments which are temporary in their duration, shall, if and in so far as they amend or affect the enactments continued by the preceding provisions of this Act, be continued in like manner, whether they are mentioned in the Schedule to this Act or not.

2. *Short title and application to Northern Ireland.*]—(1) This Act may be cited as the Expiring Laws Continuance Act, 1935.

(2) This Act shall apply to Northern Ireland in so far as it deals with any enactment relating to a subject with respect to which the Parliament of Northern Ireland has not power to make laws, but, save as hereinbefore provided, shall not apply to Northern Ireland.

SCHEDULE.

PART I.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Act.
(1) 4 Edw. 7. c. 24.	The Wireless Telegraphy Act, 1904.	The whole Act.	6 Edw. 7. c. 13. 15 & 16 Geo. 5. c. 67. 16 & 17 Geo. 5. c. 54.
(2) Geo. 5. c. 2.	The Coal Mines (Minimum Wage) Act, 1912.	The whole Act.	——
(3) 9 & 10 Geo. 5. 92.	The Aliens Restriction (Amendment) Act, 1919.	Section one.	——
(4) 9 & 10 Geo. 5. c. 97.	The Land Settlement (Scotland) Act, 1919.	Section two.	——
(5) 10 & 11 Geo. 5. c. 21.	The Harbours, Docks and Piers (Temporary Increase of Charges) Act, 1920.	The whole Act.	12 & 13 Geo. 5. c. 23.
(6) 10 & 11 Geo. 5. c. 57.	The Unemployment (Relief Works) Act, 1920.	The whole Act.	20 & 21 Geo. 5. c. 50.
(7) 10 & 11 Geo. 5. c. 65.	The Employment of Women, Young Persons and Children Act, 1920.	Section two.	——
(8) 12 & 13 Geo. 5. c. 27.	The Canals (Continuance of Charging Powers) Act, 1922.	The whole Act.	15 & 16 Geo. 5. c. 2.
(9) 16 & 17 Geo. 5. c. 28.	The Mining Industry Act, 1926.	Section eighteen	——
(10) 20 & 21 Geo. 5. c. 50.	The Public Works Facilities Act, 1930.	The whole Act, except section one, the words in section three from "but any scheme" to the end of the section, and the Second Schedule.	——

SCHEDULE—*continued.*

PART II.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Act.
(11) 24 & 25 Geo. 5. c. 31.	The Debts Clearing Offices and Import Restrictions Act, 1934.	The whole Act	——

CHAPTER 5.

PUBLIC WORKS LOANS ACT, 1935.

An Act to grant money for the purpose of certain local loans out of the Local Loans Fund, and for other purposes relating to local loans. [20*th December*, 1935.

CHAPTER 6.

RAILWAYS (AGREEMENT) ACT, 1935.

An Act to authorise the Treasury to guarantee securities issued in accordance with a certain agreement made on the thirtieth day of November, nineteen hundred and thirty-five, and to exempt the said agreement and certain other agreements from stamp duty. [20*th December*, 1935.

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